

## REMARKS

Claims 1-17 are pending in this application. Applicants submit the following remarks and respectfully request reconsideration of the application.

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### **Double Patenting**

**Claims 1-17 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 7,039,865 B1 to Hersh in view of U.S. Pat. No. 5,671,446 to Rakity et al.**

The Applicants traverse this rejection. MPEP 804(II)(B)(1) states:

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Obviousness-type double patenting requires rejection of an application claim when the claimed subject matter is not patentably distinct from the subject matter claimed in a commonly owned patent>, or a non-commonly owned patent but subject to a joint research agreement as set forth in 35 U.S.C. 103(c)(2) and (3),< **when the issuance of a second patent would provide unjustified extension of the term of the right to exclude granted by a patent.** See *Eli Lilly & Co. v. Barr Labs., Inc.*, 251 F.3d 955, 58 USPQ2d \*1869 (Fed. Cir. 2001); *Ex parte Davis*, 56 USPQ2d 1434, 1435-36 (Bd. Pat. App. & Inter. 2000). (Emphasis added.)

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The current application as filed on Dec. 4, 2000 and will, thus, expire on Dec. 4, 2020 (excluding any term extensions). U.S. Patent No. 7,039,865 was filed on Jun. 19, 2001 and is subject to a term extension of 843 days. Therefore, U.S. Patent No. 7,039,865 will expire in October of 2023. As such, any patent arising out of the current application will expire before U.S. Patent No. 7,039,865. The Examiners rejection on the grounds of nonstatutory obviousness-type double patenting, therefore, fails to meet the requirement that **“the issuance of a second patent would provide unjustified extension of the term of the right to exclude granted by a patent,”** as required in the MPEP section quoted above.

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The Applicants further traverse the double patenting rejection on the grounds that the claims of the current application are patentably distinct from those of U.S. Patent No. 7,039,865, even in view of U.S. Pat. No. 5,671,446.

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### Rejection Under 35 U.S.C. §103

Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,629,152 to Kingsbury et al. in view of U.S. Pat No. 5,671,446 B1 to Rakity et al.

#### Regarding Claim 1,

10 Claim 1 recites:

1. *A processing system for performing addition and subtraction within limits upon a shared value comprising:*
  - means for performing a first uninterruptible operation upon the shared value stored in an affected reservation location, the first uninterruptible operation using an operand;*
  - means for comparing a resulting value of the first uninterruptible operation stored in the affected reservation location to an upper value and a lower value to determine if the resulting value is within a range defined by the upper value and the lower value that can be changed;*
  - means for performing a second uninterruptible operation to restore the affected reservation location if the resulting value of the first uninterruptible operation is not within the range defined by the upper value and the lower value;*
  - means for reporting a failure if the resulting value of the first uninterruptible operation is not within the range defined by the upper value and the lower value;*
  - means for performing a third uninterruptible operation to update an actual value location if the resulting value of the first uninterruptible operation is within the range defined by the upper value and the lower value;*
  - means for performing a fourth uninterruptible operation to update an unaffected reservation location if the resulting value of the first uninterruptible operation is within the range defined by the upper value and the lower value; and*

*means for reporting a success if the resulting value of the first uninterruptible operation is within the range defined by the upper value and the lower value.*

5 With regard to Claim 1, the Examiner admits:

10 Kingsbury is silent with reference to teaching a means for comparing a resulting value of the first interruptible operation stored in the affected reservation location to an upper value and lower value to determine if the resulting value is within a range defined by the upper value and lower value that can be changed; and means for reporting a failure if the resulting value of the first uninterruptible operation is not within the range defined by the upper value and lower value.

and cites Rakity as teaching these limitations.

The Applicants traverse the rejections under 103(a) on the grounds that the cited  
15 references do not teach all of the limitations of the invention, even in combination, and also on the grounds that the Examiner has not made a prima facie case for a rejection under 103(a).

First, as previously argued by the Applicants, the teachings of Kingsbury do not include multiple limits or a comparison with a lower value, while several of the  
20 limitations of Claim 1 include multiple limits and a comparison with a lower value.

For example, the Examiner states

25 Kingsbury teaches a processing system for performing addition and subtraction (“...AFADDII...AFSUBII...” Col. 9 Ln. 42-53) within limits upon a shared value comprising: means for performing a first uninterruptible operation upon the shared value stored in an affected reservation location, the first uninterruptible operation using an operand (Mailbox Data Structure 70 Col. 7 Ln. 23-65, Col. 10 Ln. 26-27).

The Applicants interpret this statement as indicating that the Examiner is  
30 suggesting that Col. 9 Ln. 42-53 teaches “*performing addition and subtraction within limits,*” and that the manipulation of state variables, as taught in Mailbox Data Structure 70 Col. 7 Ln. 23-65, Col. 10 Ln. 26-27, teaches the “*first uninterruptible operation.*”

The Applicants traverse these suggestions and point out that any addition and subtraction performed by the cited text is not within “*limits*” (plural). As illustrated in Table 1 of Col. 9 of Kingsbury, the operation AFADD always involve incrementing (i.e., increasing) a variable by a value of one. (See, for example, the second line of the pseudo code in Table 1.) While this line is bounded by the size of the mail box (third line) during incrementation, this is only a single limit, not “*limits*,” (plural), and is only bounded during incrementation not subtraction. The Applicants, therefore, request that the Examiner specifically point out addition and subtraction within “*limits*,” (plural) within the cited art, or allow Claim 1 and those claims that depend therefrom.

10 In another example, the Examiner suggests that Kingsbury teaches each of “*means for performing a second uninterruptible operation ... if the resulting value of the first uninterruptible operation is not within the range defined by the upper value and the lower value,*” “*means for performing a third uninterruptible operation ... if the resulting value of the first uninterruptible operation is within the range defined by the upper value*  
15 *and the lower value,*” and “*means for reporting a success if the resulting value of the first uninterruptible operation is within the range defined by the upper value and the lower value.*” Each of these limitations, which the Examiner suggests is taught solely by Kingsbury, includes a conditional phrase (e.g., “if ...”) that is dependent on a comparison with a “*lower limit.*” The Applicants are unable to identify any such lower limit within  
20 Kingsbury as suggested by the Examiner. The Applicants therefore request that the Examiner specifically point out teachings of a lower limit and the use of that lower limit to trigger a conditional operation, or allow Claim 1 and those claims that depend therefrom.

**Second**, it is the position of the Applicants that Kingsbury does not teach “*means for performing a third uninterruptible operation to update an actual value location if the resulting value of the first uninterruptible operation is within the range defined by the upper value and the lower value.*” The teachings of Kingsbury cited by the Examiner as

5 teaching these limitations include neither an uninterruptible operation nor an operation that is conditional on the result of the first uninterruptible operation being within a range. Specifically, the Examiner cites Step 104 Col. 10 Ln. 58-61 of Kingsbury as teaching the above limitations. This text includes “[t]he value of the presence indicator, n\_present, is then changed to indicate that a message is present in a message slot of the destination

10 mailbox data structure, waiting to be received (step 104).” The Applicants are unable to identify any teaching that the change in value of the presence indicator is uninterruptible, e.g., atomic. The Applicants are further unable to identify any teaching that performance of this step is dependent on the result of the first uninterruptible operation being within a range defined by an upper and lower limit. As the Examiner admits that Kingsbury

15 doesn’t teach a comparison of a value resulting from the first uninterruptible operation with a range defined by the upper value and the lower value, it is hard to see how Kingsbury could teach performing an operation responsive to the result of such a comparison.

The Applicants, therefore, request that the Examiner more particularly point out

20 those parts of the cited art that are thought to teach a third operation that is “*uninterruptible*,” or allow Claim 1 and those claims that depend therefrom.

**Third**, it is the position of the Applicants that Kingsbury does not teach “*means for performing a fourth uninterruptible operation to update an unaffected reservation*

*location if the resulting value of the first uninterruptible operation is within the range defined by the upper value and the lower value.”* Regarding these claim limitations, the Examiner cites Step 98 Col. 10 Ln. 41-50 of Kingsbury. However, the only use of a limit within this text is implied in the first two lines, which include “[I]f the present value of n\_reserved does not show that the mailbox data structure is full (step 92), then the method proceeds to accept the message.” Even assuming, for the sake of argument, that this text teaches a comparison with an upper limit, there does not appear to be any lower limit involved, much less a lower limit that may control whether an operation is performed or not. The Applicants, therefore, request that the Examiner specifically point out “*means for performing a fourth uninterruptible operation*” dependent on whether the result of a comparison is “*within the range defined by the upper value and the lower value,*” or allow Claim 1 and those claims that depend therefrom.

The Applicants note that the Examiner’s suggestions regarding the teachings of Kingsbury above were also suggested in the previous Office Action dated 10/31/2005. In response to that office action, the Applicants made the same arguments presented above. While, in the current office action, the Examiner states that the Applicant’s arguments are moot as a result of new ground for rejection, this statement is untrue with respect to the Examiner’s suggestions above (and the rejection of Claims 9-17 below). The Applicants’ arguments regarding Kingsbury do not become moot just because the Examiner is now combining Kingsbury with a different secondary reference. As such, much of the arguments made herein are repetitions of arguments previously made and not addressed

by the Examiner. The Applicants respectively request that the Examiner properly rebut these arguments or allow Claims 1-17.

5      **Fourth**, it is the position of the Applicants that Rakity does not teach the limitations:

*means for comparing a resulting value of the first uninterruptible operation stored in the affected reservation location to an upper value and a lower value to determine if the resulting value is within a range defined by the upper value and the lower value that can be changed,”*

10      as suggested by the Examiner. Regarding these limitations, the Examiner cites

Col. 9 lines 51-67 of Rakity. This text states:

15      In step 86, a compare and swap operation is performed using the values of VALUE, NEWVALUE, and ADDRESS as assigned in step 84. The importance of using a compare and swap operation in step 86 is that it is an "atomic" operation, which means that the operation attempts to read or write to an address uninterrupted by any other access to that address. As explained above, this atomic characteristic is important to prevent enqueueers and dequeuers in a system from causing the wrong data to be  
20      enqueued or dequeued.

25      The compare and swap operation of step 86 compares two values and either stores a new value in place of an old value (success) or informs the queuing process that the comparison was a failure. The compare and swap operation is described in greater detail with respect to FIG. 5. If the result of the compare and swap operation is success, then the LIFO pointer 36 now points to the value of the element to enqueue and the element to enqueue has effectively been inserted at

30      The Applicants are unable to identify any teaching within this text of comparisons to both an “*upper value and a lower value*,” much less where these comparisons are “*to determine if the resulting value is within a range defined by the upper value and the lower value that can be changed*,” as recited in Claim 1. While there is a comparison in the cited text, this comparison is merely a single comparison between two values. The Applicants, therefore, request that the Examiner specifically identify which values within

the cited art are believed to teach the “*upper value*” and “*lower value*” of Claim 1, and to identify what is being compared to these values in order to determine if it is within the range defined by these values.

**Fifth**, it is the position of the Applicants that Rakity does not teach “*means for reporting a failure if the resulting value of the first uninterruptible operation is not within the range defined by the upper value and the lower value,*” as suggested by the Examiner.

Regarding these limitations, the Examiner again cites Col. 9 lines 60-67 of Rakity.

However, as discussed above, this text does not appear to teach upper and lower values with which a “*resulting value*” could be compared. Further, the only “*uninterruptible*”

operations related to the cited text appear to be a swap operation at Col. 9 line 55 and a push operation at Col. 9 line 33. Neither of these operations would generate a “*resulting*

*value of the first interruptible operation,*” as recited in Claim 1. For example, if for the sake of argument, the result of the atomic swap (Rakity Col. 9 lines 62-67) were to be considered the “*resulting value,*” then the resulting value would only be available until

after the swap and, thus, after the comparison of Rakity Col. 9 line 60. The comparison could, therefore, not include the “*resulting value*” and the limitations of Claim 1 are not

taught. The Applicants, therefore, request that the Examiner more specifically point out all the limitations of Claim 1, or allow Claims 1-17.

The above discussion illustrates that many of the limitations of Claim 1 are not found in either Kingsbury or Rakity. Therefore, it is the position of the Applicants, that even in combination, the cited art does not teach all of the limitations of Claim 1, and that Claim 1 and those claims that depend therefrom are allowable.



In addition, the Applicants traverse the combination of Kingsbury and Rakity on at least two grounds. First, that the combination suggested by the Examiner is unworkable, and second, that the Examiner fails to provide a proper motivation to combine the cited art as required for a prima facie case under §103(a).

5           The combination suggested by the Examiner includes a message passing system (Kingsbury) and attempts to improve this system by adding an ability to perform operations on a queue including both FIFO and LIFO elements (Rakity). In Kingsbury, the Examiner suggests that a state value “old\_n\_reserved” (Col. 9 Table 1 Ln. 2) is the resulting value of the first uninterruptible operation. This value is used to monitor a  
10   number of used mailboxes and to make sure that the set of mailboxes is not full (Table 1 Ln. 3). In contrast, the values manipulated in Rakity include values added to a queue including both FIFO and LIFO elements. The Examiner makes no suggestion as to how these teachings would be modified to achieve the suggested combination. It is unclear to the Applicants how storage of the value of Kingsbury in the queue of Rakity would  
15   improve the operation of Kingsbury. As discussed elsewhere herein, the value of Kingsbury is used to monitor a number of used mailboxes. In Kingsbury, the number of used mailboxes may be required anytime another process wishes to use a mailbox. This would be impracticable if the value was stored deep in a queue. The combination suggested by the Examiner, therefore, appears to be impractical. It is, therefore, the  
20   position of the Applicants that the combination suggested by the Examiner is an unworkable combination. The Applicants request that the Examiner clarify how the combined art is to be modified in order to achieve a functional combination, or allow Claim 1 and those claims that depend therefrom.

Regarding the motivation to combine, the Examiner suggests a motivation to combine the teachings of Rakity and Hersh. However, the rejection being made includes the combination of Kingsbury and Rakity, not Rakity and Hersh. Further, the motivation suggested, improvement by providing a method for enqueueing and dequeuing, does not appear applicable to Kingsbury. It is not apparent how such a feature would improve Kingsbury. The Applicants, therefore, request that the Examiner point out motivation from within the cited art or other prior art in order to make a prima facie case under §103(a), or allow Claim 1 and those claims that depend therefrom.

For at least the above reasons, the motivation for combining the teachings of Kingsbury and Rakity, as suggested by the Examiner, would not cause a person of ordinary skill in the art to make such a combination. It is, therefore, the position of the Applicants that Examiner has failed to make a prima facie case for rejection under §103(a).

**Regarding Claims 2, 4 and 6,**

Claims 2, 4 and 6 each include limitations “*wherein the first second, third, and fourth uninterruptible operations are Lock XADD operations.*” In rejecting these claims the Examiner states, “Kingsbury teaches the first, second, third and fourth uninterruptible operations as Lock XADD operations...,” Col. 9 Ln. 17 – 53. This text has also been cited by the Examiner in relation to the first uninterruptible operation. However, the Applicants respectfully point out that Kingsbury does not teach that those operations suggested by the Examiner to teach the second, third and fourth uninterruptible operations are XADD operations. Specifically, the Examiner cites incrementation of an “n\_reserved” value as the second uninterruptible operation. This operation could easily

be performed using an atomic INC operation rather than an XADD operation, because the value need not be read during the operation. (XADD is only necessary when reading a value while also changing it atomically.) Similarly, the values (n\_present and tail index) suggested by the Examiner as being modified in the third and fourth (respectively)

5     uninterruptible operations could be modified by an INC operation rather than an XADD operation. The Applicants, therefore, request that the Examiner specifically point out teachings that those aspects of Kingsbury that the Examiner believes teach second, third, and fourth uninterruptible operations are performed using an XADD operation, or allow Claims 2, 4 and 6.

10     The Applicants further believe that Claims 2, 4 and 6 are allowable for at least the same reasons as the claims from which they depend. The Applicants respectfully point out that the above arguments have been previously made in response to the 10/31/2005 Office Action and have not been rebutted by the Examiner in the present Office Action.

**Regarding Claims 3-7:**

15     The Applicants believe that Claims 3-7 are allowable for at least the reasons discussed herein with respect to Claim 1.

**Regarding Claim 8,**

Although the Examiner states that Claim 8 is rejected under §103(a), the Examiner does not present grounds for the rejection of Claim 8 under 103(a). The  
20     Applicants, therefore, request that the Examiner allow Claim 8. Further, the Applicants respectfully point out that it would be improper for the Examiner to present new grounds for the rejection of Claim 8 in a Final Office Action.

The Applicants respectfully point out that the above arguments have been previously made in response to the 10/31/2005 Office Action and have not been rebutted by the Examiner in the present Office Action.

**Regarding Claim 9,**

5 Claim 9 recites:

9. *A method of performing subtraction or addition within limits, the method comprising:*  
    *receiving an operand from a processing thread;*  
    *performing a first uninterruptible operation upon an affected reservation*  
10 *location, the affected reservation location including a first instance of a shared*  
*first value, the first uninterruptible operation being configured to generate a*  
*second value by subtracting the operand from or adding the operand to the first*  
*instance of the shared first value;*  
    *comparing the generated second value in the affected reservation location*  
15 *to one or more limit values stored in one or more limit locations;*  
    *performing a second uninterruptible operation to restore the shared first*  
*value in the affected reservation location if the second value is not within any of*  
*the one or more limit values;*  
    *reporting a failure if the second value is not within any of the one or more*  
20 *limit values;*  
    *performing a third uninterruptible operation to update a second instance*  
*of the shared first value stored in an actual value location if the second value is*  
*within the one or more limit values, the actual value location being a memory*  
*location shared by a plurality of processing threads; and*  
25 *performing a fourth uninterruptible operation to update a third instance of*  
*the shared first value stored in an unaffected reservation location if the second*  
*value is within the one or more limit values.*

Examiner states that Claim 9 is rejected on the same basis as Claim 1. However,  
30 as previously argued by the Applicants, Claim 9 includes various limitations not included  
in Claim 1, and not addressed by the Examiner. Specifically, Claim 9 includes at least  
the following limitations not found in Claim 1: “*the affected reservation location*  
*including a first instance of a shared first value,*” “*to update a second instance of the*  
*shared first value,*” and “*to update a third instance of the shared first value.*” The

Applicants respectfully request that the Examiner specifically point out teachings of these limitations within the cited art, or allow Claim 9 and those claims that depend therefrom.

Further, the above limitations refer to a first, second and third instance of the same shared first value and, in Claim 9, specify that these instances are operated on  
5 during the second, third and fourth uninterruptible operations. The Applicants note that those teachings of Kingsbury that are suggested by the Examiner to teach the second, third and fourth uninterruptible operations are performed on different values, not different instances of “*of a shared first value.*” Thus, those teachings cited by the Examiner in reference to Claim 1, cannot teach these limitations of Claim 9.

10 The Applicants respectfully point out that the above arguments have been previously made in response to the 10/31/2005 Office Action and have not been rebutted by the Examiner in the present Office Action.

**Regarding Claims 10 and 11,**

The Applicants believe that Claims 10 and 11 are allowable for at least the  
15 reasons discussed above with respect to Claim 9, from which they depend.

**Regarding Claim 12,**

Claim 12 recites:

12. *The method of claim 9, wherein the first uninterruptible operation is configured to generate the second value by adding the operand to the first instance of the shared first value.*  
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The Examiner rejects Claim 12 on the same grounds as Claim 1. However, as previously argued by the Applicants, the Applicants respectfully point out that Claim 12 includes limitations not found in Claim 1 and not addressed by the Examiner.

25 Specifically, Claim 1 does not include the limitations “*the first uninterruptible operation*

is configured to generate the second value by adding the operand to the first instance of the shared first value.” The Applicants are unable to identify any teaching within Kingsbury of a first interruptible operation thus configured. The Applicants, therefore, request that the Examiner specifically point out which parts of Kingsbury are thought to teach each of the limitations “the first uninterruptible operation,” “the second value,” “by adding the operand,” and “the first instance of the shared first value,” or allow Claim 12.

The Applicants further believe that Claim 12 is allowable for the reasons discussed above with respect to Claim 1, and Claim 9 from which it depends. The Applicants respectfully point out that the above arguments have been previously made in response to the 10/31/2005 Office Action and have not been rebutted by the Examiner in the present Office Action.

**Regarding Claim 13,**

Claim 13 recites:

13. The method of claim 9, wherein the first uninterruptible operation is configured to generate the second value by subtracting the operand from the first instance of the shared first value.

The Examiner rejects Claim 13 on the same grounds as Claim 1. However, as previously argued by the Applicants, the Applicants respectfully point out that Claim 13 includes limitations not found in Claim 1 and not addressed by the Examiner.

Specifically, Claim 1 does not include the limitations “the first uninterruptible operation is configured to generate the second value by subtracting the operand from the first instance of the shared first value.” The Applicants are unable to identify any teaching within Kingsbury that the first interruptible operation is thus configured. Those parts of Kingsbury suggested by the Examiner as teaching the first uninterruptible operation do

not appear to include subtraction. The Applicants, therefore, request that the Examiner specifically point out which parts of Kingsbury are thought to teach each of the limitations “*the first uninterruptible operation*,” “*the second value*,” “*by subtracting the operand*,” and “*the first instance of the shared first value*,” or allow Claim 13.

5           The Applicants further believe that Claim 13 is allowable for the reasons discussed above with respect to Claims 1, 9 and 12. The Applicants respectfully point out that the above arguments have been previously made in response to the 10/31/2005 Office Action and have not been rebutted by the Examiner in the present Office Action.

**Regarding Claim 14,**

10   Claim 14 recites:

*14. The method of claim 9, wherein the operand has an absolute value greater than one.*

          The Examiner rejects Claim 14 on the same grounds as Claim 1. However, as  
15   previously argued by the Applicants, the Applicants respectfully point out that Claim 14 includes limitations not found in Claim 1 and not addressed by the Examiner. Specifically, Claim 1 does not include the limitations “*the operand has an absolute value greater than one*.”

          The Applicants believe that Kingsbury does not teach that the first interruptible  
20   operation includes addition of a value greater than one. Specifically, the text suggested by the Examiner as teaching the first uninterruptible operations specifies that a fixed value of “1” is to be added. The Applicants, therefore, request that the Examiner specifically point out teachings of the limitations of Claim 14, within the cited art, or allow Claim 14.

The Applicants further believe that Claim 14 is allowable for the reasons discussed above with respect to Claim 9 from which it depends. The Applicants respectfully point out that the above arguments have been previously made in response to the 10/31/2005 Office Action and have not been rebutted by the Examiner in the present Office Action.

**Regarding Claim 15,**

Claim 15 recites:

*15. The method of claim 9, wherein performing the second uninterruptible operation includes using a negative of the operand.*

The Examiner rejects Claim 15 on the same grounds as Claim 1. However, as previously argued by the Applicants, the Applicants respectfully point out that Claim 15 includes limitations not found in Claim 1 and not addressed by the Examiner.

Specifically, Claim 1 does not include the limitations “*performing the second uninterruptible operation includes using a negative of the operand.*” The Applicants are unable to identify any teaching within Kingsbury that the second uninterruptible operations involve a negative of the operand of the first uninterruptible operation. The Applicants, therefore, request that the Examiner specifically point out teachings of the limitations of Claim 15, within the cited art, or allow Claim 15.

The Applicants further believe that Claim 15 is allowable for the reasons discussed above with respect to Claim 9 from which it depends. The Applicants respectfully point out that the above arguments have been previously made in response to the 10/31/2005 Office Action and have not been rebutted by the Examiner in the present Office Action.

**Regarding Claim 16,**



Claim 16 recites:

16. *The method of claim 9, further including choosing the first affected reservation location on which to perform the first uninterruptible operation, responsive to whether the method is being used to perform a subtraction or addition.*

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The Examiner rejects Claim 16 on the same grounds as Claim 1. However, as previously argued by the Applicants, the Applicants respectfully point out that Claim 16 includes limitations not found in Claim 1 and not addressed by the Examiner.

Specifically, Claim 1 does not include the limitations “*choosing the first affected*

10 *reservation location on which to perform the first uninterruptible operation, responsive to whether the method is being used to perform a subtraction or addition.*” The

Applicants are unable to identify any teaching within Kingsbury that a reservation location is chosen based on the type of operation involved. The Applicants, therefore, request that the Examiner specifically point out teachings of the limitations of Claim 16

15 within the cited art, or allow Claim 16. The Applicants respectfully point out that the above arguments have been previously made in response to the 10/31/2005 Office Action and have not been rebutted by the Examiner in the present Office Action.

**Regarding Claim 17,**

Claim 17 recites:

20 17. *The system of claim 1, further including means for choosing the first affected reservation location on which to perform the first uninterruptible operation, responsive to whether the method is being used to perform a subtraction or addition.*

The Examiner rejects Claim 17 on the same grounds as Claim 1. However, as previously argued by the Applicants, the Applicants respectfully point out that Claim 17 includes limitations not found in Claim 1, and not addressed by the Examiner.

Specifically, Claim 1 does not include the limitations “*means for choosing the first*

*affected reservation location on which to perform the first uninterrupted operation, responsive to whether the method is being used to perform a subtraction or addition.”*

The Applicants are unable to identify any teaching within Kingsbury that a reservation location is chosen based on the type of operation involved. The Applicants, therefore,  
5 request that the Examiner specifically point out teachings of the limitations of Claim 17 within the cited art, or allow Claim 17.

The Applicants respectfully point out that the above arguments have been previously made in response to the 10/31/2005 Office Action and have not been rebutted by the Examiner.

### Conclusion

In view of the above remarks, the pending claims in this application are believed to be in condition for allowance, and the Examiner is respectfully requested to allow the pending claims in this application. The Examiner is invited to call Applicants' representative at the number below if he has any questions or if there are remaining outstanding issues.

Respectfully submitted,

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